



# TRANSMITTAL FORM

to be used for all correspondence after initial filing)

|  |                        |               |
|--|------------------------|---------------|
| Application Number                       | 10/676,986             |               |
| Filing Date                              | September 30, 2003     |               |
| First Named Inventor                     | Jon Arthur Fairhurst   |               |
| Group Art Unit                           | 2643                   |               |
| Examiner Name                            |                        |               |
| Total Number of Pages in this Submission | Attorney Docket Number | KLR:7146.0162 |

| ENCLOSURES (check all that apply)   |  |   |
|---|--|---|
| <input type="checkbox"/> Fee transmittal<br><input type="checkbox"/> Fee attached form<br><input type="checkbox"/> Amendment<br><input type="checkbox"/> After Final/ Response<br><input type="checkbox"/> Affidavits/Declaration(s)<br><br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified copy of Priority Documents<br><input type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing Related Papers<br><input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Small Entity Statement<br><br><input type="checkbox"/> Request for Refund | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Additional Enclosures (identify below)<br>Form 1449 with listed prior art; a duplicate copy of this Transmittal Letter; and an acknowledgment Postcard, |
| Remarks: <b>Commissioner is authorized to charge any additional fee, or credit any overpayment, to Deposit Account No. 03-1550. A duplicate copy of this Transmittal Form is enclosed for purposes of use with Deposit Account No. 03-1550 as stated herein.</b>  |  |   |

| SIGNATURE OF APPLICANT, ATTORNEY OR AGENT |   |
|---|---|
| Firm or Individual Name                   | Kevin L. Russell of CHERNOFF, VILHAUER, Mc CLUNG & STENZEL, LLP |
| Signature                                 |   |
| Date                                      | January 20, 2004  |

| CERTIFICATE OF MAILING  |                  |      |                  |
|---|------------------|------|------------------|
| I hereby certify that, on the date below, this correspondence is being deposited with the United States Postal Service in an envelope addressed to: Mail Stop Patent Applications (IDS), Commissioner for Patents, Post Office Box 1450, Alexandria, VA 22313-1450.<br><input checked="" type="checkbox"/> with sufficient postage as first class mail<br><input type="checkbox"/> as "Express Mail Post Office to Addressee" - mailing label no. _____ |                  |      |                  |
| Type or print name  | Kevin L. Russell |      |                  |
| Signature   |                  | Date | January 20, 2004 |



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION EXAMINING OPERATIONS

Applicant : Jon Arthur Fairhurst Group Art Unit: 2643  
Serial No. : 10/676,986 Examiner :  
Filed : September 30, 2003  
Title : INFORMATIONAL MATERIAL SELECTION

INFORMATION DISCLOSURE STATEMENT  
IN ACCORDANCE WITH 37 CFR §1.98

1600 ODS Tower  
601 S.W. Second Avenue  
Portland, Oregon 97204-3157  
January 20, 2004

Mail Stop Patent Applications (IDS)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant submits herewith Form PTO-1449 (Modified) listing the prior art of which applicant is aware and which applicant desires to have considered by the Patent Office in accordance with 37 CFR §1.97. In accordance with 37 CFR §1.97(b)(3), this Information Disclosure Statement is being submitted before the mailing date of a first Office Action on the merits of the above-identified application.

In accordance with 37 CFR §1.97(h), the filing of this Information Disclosure Statement will not be regarded as an admission that any patent or publication or combination of patents referred to herein is, or is considered to be, material to patentability under 37 CFR §1.56(b) unless specifically designated as such.

A list of the patents and publications enclosed herewith are set forth on the attached three pages of Form PTO-1449 (Modified).

The person making this statement is the attorney who signs below on the basis of the information supplied by the inventor and the information in his file.

Respectfully submitted,

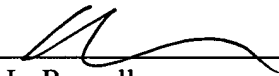


Kevin L. Russell  
Reg. No. 38,292  
Attorney for Applicant  
Tel: (503) 227-5631

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Patent Applications (IDS), Commissioner for Patents, P. O. Box 1450, Alexandria, VA., on January 20, 2004.

Dated: January 20, 2004

  
\_\_\_\_\_  
Kevin L. Russell

FORM PTO-1449 (Modified)

LIST OF PATENTS AND PUBLICATIONS FOR  
APPLICANT'S INFORMATION DISCLOSURE  
STATEMENT

(Use several sheets if necessary)

ATTY. DOCKET NO.  
KLR 7146.0162SERIAL NO.  
10/676,986

APPLICANT

Jon Arthur Fairhurst

FILING DATE  
Sept. 30, 2003GROUP  
2643

## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

| EXAMINER<br>INITIAL |    | DOCUMENT NUMBER | DATE          | NAME                | CLASS | SUBCLASS | FILING DATE IF<br>APPROPRIATE |
|---------------------|----|-----------------|---------------|---------------------|-------|----------|-------------------------------|
|                     | AA | 5,978,043       | Nov. 2, 1999  | Blondstein, et. al. |       |          |                               |
|                     | AB | 6,084,644       | July 4, 2000  | Atkinson            |       |          |                               |
|                     | AC | 6,285,414 B1    | Sept. 4, 2001 | Chilamakuri         |       |          |                               |
|                     | AD | 6,426,779 B1    | July 30, 2002 | Noguchi, et. al.    |       |          |                               |
|                     | AE |                 |               |                     |       |          |                               |
|                     | AF |                 |               |                     |       |          |                               |
|                     | AG |                 |               |                     |       |          |                               |
|                     | AH |                 |               |                     |       |          |                               |
|                     |    |                 |               |                     |       |          |                               |

## FOREIGN PATENT DOCUMENTS

|  |    | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION |    |
|--|----|-----------------|------|---------|-------|----------|-------------|----|
|  |    |                 |      |         |       |          | YES         | NO |
|  | BA |                 |      |         |       |          |             |    |
|  | BB |                 |      |         |       |          |             |    |
|  |    |                 |      |         |       |          |             |    |
|  |    |                 |      |         |       |          |             |    |

## OTHER ART

|  |    |  |
|--|----|--|
|  | CA |  |
|  | CB |  |
|  | CC |  |
|  | CD |  |
|  | CE |  |
|  |    |  |

|                       |  |                    |  |
|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language translation is attached.